



## **Protecting intellectual property often hard**

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By Glen Warchol

Most small-business owners probably figure they have enough on their plates growing a business without worrying about something as esoteric as intellectual property theft.

Let global giants such as Nike and Microsoft stew over international piracy, right?

U.S. Undersecretary of Commerce Jon Dudas begs to differ. About half the patents issued in Utah -- 683 last year alone -- went to small-business owners. And those ideas -- the foundations of dozens of businesses -- are at risk of theft.

"We've found that small businesses don't understand intellectual property," said Dudas. "One tremendously bad case of intellectual property theft and they could lose their business."

Intellectual property includes everything a sharp entrepreneur could dream up -- from software programs, which can be copied on a massive scale and transmitted in seconds over the Internet, to knock-off motor boat gauges or a hot-selling brand of glue churned out of a Far East factory.

Because trademark and patent theft has become a \$600 billion problem -- pirates siphon off about 5 percent to 10 percent of the value of U.S.-trademarked products -- Dudas has kicked off a nationwide series of seminars for small businesses. The first started Monday in Salt Lake City and will continue today at Little America Hotel.

"Many small businesses are not aware of the value of their intellectual property, let alone how to protect it," said Dudas, the Patent Office's intellectual property expert. "Small business and innovation is the key to our economic growth."

"Any business that relies on its name to sell a product is at risk," he added. "If you've built a business reputation that is important to your success, you are at risk of having it pirated."

The audacity of intellectual property thieves can be breathtaking. Volkswagen had a car brand pirated. A founder of a small U.S. company recently learned a shoddy imitation of his product was being shipped to customers, complete with his wife's photograph and his signature on the label.

Dudas acknowledged the impotence of a small business to combat pirates who set up on foreign soil.

The United States government, however, has considerable clout. But before an effective international campaign to protect intellectual property is launched, Dudas said innovators must systematically register their ideas here and, when possible, abroad.

"Without the intellectual property being registered and trademarked, there's nothing the government can do for them," he said.

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For basic information on intellectual property: [http:// www.uspto.gov](http://www.uspto.gov) .

If you think you may be a victim of piracy: [http:// www.StopFakes.gov](http://www.StopFakes.gov) .

To speak directly to a intellectual property expert: 1-866-999-HALT.

**To protect small business innovations and brands:**

- \* **Educate yourself** on intellectual property, patent rights and trademarks. The U.S. Patent and Trademark Office, <http://www.uspto.gov>, is a place to start.
- \* **Get a U.S. patent** or trademark on innovations, products and brands.
- \* **Talk to** an intellectual property attorney to develop a protection strategy.
- \* **Patent your product** in foreign countries where a piracy threat may exist.
- \* **If you get ripped off**, call the U.S. Patent and Trademark Office immediately.

*-- Source: U.S. Patent and Trademark Office*